



AP31409-B (003, 098204)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rose et al.
Serial No.: 09/833,047
Filed: April 11, 2001
Art Unit: 1619
For: LONG-ACTING, CHEMICAL-RESISTANT SKIN EMOLLIENTS
MOISTURIZERS AND STRENGTHENERS
Examiner: A. Berman

RESPONSE TO RESTRICTION REQUIREMENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on November 13, 2001

Lindsay S. Adams

Attorney

Lindsay S. Adams
Signature

November 13, 2001

Date of Signature

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-1145.

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

In the Communication dated October 10, 2001, a requirement for restriction was imposed for one of the following groups of claims:

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I. Claims 1-4, drawn to a compound, classified in class 558, subclass 250;

II. Claims 5-11, drawn to a skin care composition, classified in class 424, subclass 401; and

III. Claims 12 and 13, drawn to a method of using a compound, classified in class 558, subclass 250.

In addition, Applicants have been advised that a specie as found in either Claims 3 or 4 for Group I, or Claims 7 or 8 for Group II, must also be elected for continued prosecution.

In response, Applicants hereby elect with traversal the claims of Group I (i.e., Claims 1-4) and elect the specie encompassed by Claim 3. Applicants traverse the restriction requirement with regard to the claims of Group III (i.e., Claims 12 and 13). The Examiner contends that the inventions have acquired separate status in the art as shown by their different classification, which in addition to being distinct, makes the restriction proper. See Communication at paragraph 5.

Likewise, the Examiner contends that the search for Group III is not required for Group I. See Communication at paragraph 6.

However, Applicants point out that both Groups I and III are classified in class 558, subclass 220. Thus, Applicants do not see the basis for stating that Group I and III have acquired

separate status in the art and do not require the same search. The search for Groups I and III would be the same especially in view that the claims of Group III for examination purposes would be directed to applying the elected specie shown in claim 3 to mammalian skin. The restriction of Group III should be withdrawn and Claims 1-4 and 12-13 should be examined together.

If the Examiner has any questions, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number below.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lindsay S. Adams".

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